

REMARKS

In the Office Action, claims 1 and 9-11 were rejected under 35 USC §102(b) as being anticipated by Cavaness et al. Claim 2 was rejected under 35 USC 103(a) as being unpatentable over Cavaness et al in view of Foss, Jr. Claim 3 was rejected under 35 USC 103(a) as being unpatentable over Cavaness et al in view of Cove. Claims 4-8 were indicated to be allowable if rewritten in independent form.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version With Markings To Show Changes Made".

The Cavaness patent (U.S. Patent No. 5,747,711) is concerned solely with electrical instruments such as electric guitars. Although their bodies may resonate with the resonance of the strings, they do not have a soundboard.

With respect to paragraph 4 of the Office Action, the Foss patent is essentially concerned with plastic protective devices to go over the surface of a guitar in order to protect it from scratching and suchlike.

Claim 1 has been amended to incorporate into it the features of a musical instrument which incorporates a soundboard. Soundboard is a term of art which, as can be seen from the attached dictionary definition from Bartleby.com, is a board contained in the resonance chamber of a musical instrument such as a violin or

piano, and which serves to increase resonance. The application stresses the difference between the hollow-bodied musical instruments of the present invention having a soundboard and solid-bodied instruments not having a soundboard, as exemplified by, for example, the Cavaness et al patent. Therefore claim 1 and the claims dependent therefrom should be allowable.

Claims 12-15 should also be considered allowable as they incorporate the subject matter of allowable claims 4, 6, 7 and 8, respectively.

Based on the foregoing amendments and remarks, it is respectfully submitted that the claims in the present application, as they now stand, patentably distinguish over the references cited and applied by the Examiner and are, therefore, in condition for allowance. A Notice of Allowance is in order, and such favorable action and reconsideration are respectfully requested.

However, if after reviewing the above amendments and remarks, the Examiner has any questions or comments, he is cordially invited to contact the undersigned attorneys.

Respectfully submitted,

JACOBSON HOLMAN, PLLC

By: 

Jonathan L. Scherer
Reg. No. 29,851

400 Seventh Street, N.W.
Washington, D.C. 20004-2201
(202) 638-6666

Date: July 23, 2003
JLS/dmt

Serial No. : 10/049,638
Atty. Docketing No. : P67575US0

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Please cancel claims 4, 7 and 8 without prejudice or disclaimer

Please amend claims 1 and 5 as follows:

1. (Amended) An acoustic device ~~having a soundboard comprising a resonance chamber including a soundboard made of~~ expanded polycarbonate.

5. (Twice Amended) The acoustic device according to claim 4 12, wherein said soundboard has a density ~~fo~~ of 650 kg/m³.